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ABSTRACT

In a discussion of the problems of American Indian education in the United States, the U.S. Commissioner of Education points out that inadequacies of the present public educational system have resulted in a deplorable situation for the First Americans. Of concern is the need for development of a multilingual, cross-cultural approach to teaching in a curriculum which is sensitive to cultural diversity. Efforts of the Office of Education (OE) to aid the educationally disadvantaged through compensatory programs and Title I of the Elementary and Secondary Education Act are examined, and a strategy is proposed concerning the most effective use of OE resources in pursuit of quality education and involvement of Indians in their educational programs. To intensify the assistance to the Indians in their educational endeavors, the following are discussed: (1) the Higher Education Opportunity Act, (2) the Emergency School Assistance and Quality Integrated Education Act, (3) the National Institute of Education, and (4) the Education Revenue Sharing bill. In conclusion, the commissioner suggests a new commitment to a new Indian education policy which would provide Indians with a more equal educational opportunity. (EL)

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[Statement on Indian Education]

Statement by
Honorable Sidney P. Marland, Jr.
U.S. Commissioner of Education
Before the
Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
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Mr. Chairman and Members of the Subcommittee:

I appreciate this opportunity to discuss with you and your Committee the problem of Indian education in the United States. As Commissioner of Education I feel a compelling personal responsibility to help redress injustices against the First Americans.

Current estimates indicate that two-thirds of the Indian children of school age are enrolled in the Nation's public schools. The U.S. Office of Education has the prime Federal responsibility for the support of education of Indian children in public schools. Consequently, my formal presentation to the Committee will focus on the education problems of public school Indian children.

It is deplorable that in this age of rapidly accelerating sophistication the American Indians often receive an education that is generally inadequate to meet their needs. The statistics documenting this inadequacy are all too convincing. Recent studies tell us that 43 percent of the Indian children in the Western United States will drop out of school between the eighth and twelfth grades, compared to a 27 percent national dropout rate. Less than 10 percent of Indian high school graduates obtain a four-year college degree. The average level of educational attainment among young Indian people is 8.4 years compared to a national average of 10.4 years.

What are the problems which bring about such appalling statistics? What kinds of solutions are possible in our public schools? The studies of Indian education, such as those completed by the Office of Education, the Special Subcommittee on Indian Education, and the N.A.A.C.P. Legal Defense and Educational Fund, clearly indicate the magnitude of the problems.

In looking at these problems, we find that one of the most pervasive factors is the lack of Indian control over the programs that affect their children. President Nixon, in his recommendations for Indian policy in July 1970, said that the goal of any new national policy for Indians must be to "strengthen the Indian's sense of autonomy without threatening his sense of community." Parental participation in the development and evaluation of Federally financed programs at the local level should be strongly encourage

The uniqueness of the Indians culture also presents a challenge to our public schools as do other racial and ethnic heritages. It is often the case that the cultural background of the Indian students differs from the cultural assumptions included in the curriculum and values of the public school system, which is primarily created and controlled by persons of the white middle class. A lack of knowledge about local Indian culture on the part of public school personnel too often creates an alien environment for Indians. Schools then become "the enemy" to the child and his parents. This problem is compounded by the multitude of cultural and linguistic differences within the American Indian and Alaska Native communities.

We need to develop a multi-lingual, cross-cultural, approach to teaching Indian children. Teachers and administrators must be given training to help them appreciate the cultural diversity offered by their Indian pupils. The development of culturally sensitive curricula is urgently needed. The Indian child should be given a sense of his rich cultural heritage, and at the same time, given the skills to participate in the dominant society around him to the extent that he may choose.

Unfortunately, a third major problem is administrative in nature. There is misunderstanding on the part of some administrators about the purposes of compensatory education funds. There are well-known instances of Title I funds being used for general aid purposes. Recipient education agencies must be made clearly aware of the purpose of compensatory education funds.

The legislation now before the Committee attempts to meet these problems. The "Indian Education Amendment" is laudable for its stated intent to provide for the special education needs of Indian children. While we share the Subcommittee's concern, we have serious objections about specific provisions of the bill. We therefore recommend against passage of the "Indian Education Amendment."

The Office of Education is not by any means unconcerned or unresponsive to the problem of Indian education. In Fiscal Year 1970, $25,660,333 in OE funds went to schools under Title I of the Elementary and Secondary Education Act for compensatory programs for educationally disadvantaged Indian children. It is estimated that over $18 million in Public Law 874 Impact Aid funds were allocated on the basis of Indian children in the same year. In Fiscal Year 1969, 2,300 Indian students in institutions of higher education received an estimated $1.8 million in student assistance under the Equal Opportunity Grant, College Work-Study, and National Defense Student Loan Programs. In response to Congressional concern expressed in the Elementary and Secondary Education Amendments of 1969, FY 1971 funds for Indian bilingual education projects have nearly doubled from the previous year to over $2 million.

The Office of Education is participating in some excellent Indian education projects - exciting projects. I would like to share some of these with you:

--Four hundred and fifteen children, three-fourths of them Cherokee-speaking, receive instruction in both Cherokee and English at kindergarten through third grade. In addition, 210 parents are participating in activities designed to encourage interest in their children's progress.

This project has enjoyed the continued support of Northeastern State College, which is currently training 44 staff members from participating schools and developing a program of formal teacher education leading to certification for Cherokee-speaking people. In recognition for this contribution to Cherokee bilingual education, Northeastern State College received second-place honors in the 1971 Distinguished Achievement Award Program of the American Association of Colleges for Teacher Education.

--In hogans, church basements, unused school rooms and homes, an adult basic education project is attacking illiteracy on the vast Navajo Reservation. A group of dedicated Navajo teachers are diligently striving to bring older Indians, 18 to 85 years of age, into the Twentieth Century. In Fiscal Year 1971, a total of $1,060,000 will be obligated for the adult education of Indians.

Two of our most exciting efforts among the American Indians have been Teacher Corps and the Career Opportunities Programs. These programs have utilized Indian people as aides and teachers in both the B.I.A. and public schools educating Indian children.

--Eastern Montana College, in cooperation with communities and local schools, is operating a Teacher Corps program. During the academic years 1970-71 and 1971-72 Corps members, working for their M.S. degrees, will live, learn, and work in several Indian communities. Sixty percent of their time will be spent in elementary school. Forty percent of their time will be spent in the community and educational activities.

--A Career Opportunities Program is in operation on the Crow and Northern Cheyenne Indian Reservations in southern Montana. The purpose of the program, jointly funded with OEO, is to improve the education of Indian children by increasing the number of Indian teachers who will be eligible for employment in schools serving predominately Indian populations. Public, private and BIA schools, including the Headstart programs on both reservations, are participating.

In addition, the Bureau of Education Professions Development has begun a number of efforts which train Indians as educators in counseling and administration. In FY 72, OE and B.I.A. will continue the sponsorship of programs at the Minnesota, Arizona State, Harvard, and Pennsylvania State universities to train Indian education administrators. This program, funded this year by O.E.O., will produce approximately 80 American Indians with M.A. degrees. I have asked OE budget and program administrators to investigate the means of funding this program on a continuing basis starting in FY 73.

Mr. Chairman, given the nature of Federal treatment of Indians it is fair to question to what extent existing authority will continue to be translated into significant action. I suggest, however, that two very strong determinants, the work of the Special Indian Education Subcommittee and the President's July 1970 Message, constitute powerful guidelines in the use of these authorizations. In response to these developments, I have convened an Indian Education Policy Task Group within the Office of Education to advise me on policy development and the most effective use of OE resources in the pursuit of quality Indian education. Consultants from the Indian communities will be brought in to work with the group. They are in the midst of their work. Nevertheless, they have offered a preliminary policy outline and an initial OE strategy.

In outline, the proposed strategy recommends that:

--OE policy distinguish and acknowledge OE's respective responsibilities to Indian children presently served by Federal (BIA) schools and the more than 2/3 of Indian children in public schools.

Regarding present BIA schools that:

--OE support BIA in fulfilling the policy of self-determination and community control developed by the President in his July 1970 Message.

--OE fulfill its national responsibility to promote equal educational

opportunity and quality education for the children of this country.

--OE cooperate with BIA in data collection, evaluation and program development.

--OE and BIA engage in joint planning and joint funding in FY 72, for the pursuit of Indian community control and bicultural education.

Regarding non-BIA Indian Students that:

--OE improve its knowledge concerning the conditions and particular educational problems of American Indian children living in various parts of the country. This is especially critical since more than 2/3 of the American Indian children attend public schools and an estimated 38 percent or more of the Indian population now resides in urban areas.

--OE support the further development of bilingual and bicultural programs, that would enhance the education of non-BIA American Indian children.

--OE cooperate in the support of Urban Indian Education centers as a base for:

  --educational program development in urban areas.

  --developing American Indian participation in local educational affairs.

  --educational program evaluation in urban areas, conducted in conjunction with the Regional Officers.

--OE encourage SEA's and LEA's to incorporate bicultural Indian programs into their educational offerings.

For both BIA and non-BIA Indian children:

--OE assist in the development of more Indian educational personnel at all levels.

--OE pursue a policy of awarding policy development grants to Indian groups.

Mr. Chairman, this outline is tentative and needs much more specification. Nevertheless, it indicates that our Indian Education Policy Task Group is at work.

The strategy envisioned to promote this policy relies, where possible, on our discretionary project grant programs. While these programs do not constitute the major source of Federal educational funds, they do represent OE's most direct and responsive delivery and development capacity. Given the significant and growing number of Indian children who are dispersed within our cities, the need increases to apply flexible funds that can be directed to their problems. If well planned and used in a coordinated manner, these funds, though limited in comparison to formula grant resources, can be equally effective in playing an important catalytic role in furthering Indian self-determination and in developing effective bicultural education programs.

Within the prerogatives afforded the Secretary of Health, Education, and Welfare, we have taken vigorous administrative action to insure that present programs will provide even more substantial benefits to these children. One of the unanimous recommendations of all the studies conducted on Indian education has been the need for increased involvement of Indian parents with the schools. Title I regulations published yesterday in the Federal Register, will insure that for parents whose children receive benefits under present compensatory education programs, parental participation will be a fact. These parents will have a strong voice in decisions affecting their children.

The NAACP Legal and Educational Fund and other studies have properly criticized the misuse of compensatory education funds. These funds have often been used for general support purposes because of a lack of understanding about the purposes of compensatory education. The Title I ESEA regulations now mandate school comparability within local districts as a condition for receiving funds under this program. There are also now in progress

negotiations between the Office of Education and the Bureau of Indian Affairs on a "memorandum of understanding" between the two agencies to insure proper administration of compensatory education funds transferred to BIA under the set-aside provisions of Title I ESEA. Over $11 million in Title I funds will serve the Indian children in Federal schools this year.

The Administration has also moved to protect the rights of school children of American Indian and other ethnic backgrounds, an area which has been shamefully neglected in comparison with the Federal effort toward black boys and girls. The Civil Rights Act makes no distinction between the different ethnic or national groups. Enforcement should proceed accordingly to protect the rights of the country's more than two million American Indian, Mexican-American, Puerto Rican, and Cuban children.

HEW's Office of Civil Rights has stipulated to school superintendents that national origin issues are, henceforth, part of all compliance reviews and the Department has asked the districts to take affirmative action to equalize access of non-English speaking youngsters to all education programs. This would include testing of non-English-speaking children in their own language rather than English, and interpreting tests with techniques that compensate for cultural differences. This will also prove of inestimable value to the Office of Education in identifying Indian children in public schools and assessing the impact of OE funds on the education of these students.

American Indians, as well as other minority groups, also have a strong and respected voice in the Office of Education through the newly created Office of Special Concerns, headed by Assistant Commissioner Dick Hays.

Mr. Hays and Helen Schierbeck, of the Office of American Indian Affairs, work hard to develop and coordinate OE program resources relevant to Indian education. They also serve to educate and sensitize Office of Education personnel concerning the needs and aspirations of the Indian people.

Earlier, Mr. Chairman, I outlined a tentative policy offered by our Indian Education Policy Task Group. Suggestions of the type they have offered constitute a policy inasmuch as they relate to actions which the Office of Education can initiate and for which it can be responsible. In addition to such program elements, however, this Administration is proposing a number of legislative measures which can incorporate and augment a policy approach such as the one offered by the Policy Task Group. Briefly, I will summarize these measures and their conceivable benefits to Indian education.

On July 8, 1970, President Nixon delivered a strong message favoring the concepts of local control and self-determination. He stated that "every Indian community wishing to do so should be able to control its own Indian schools. This control would be exercised by school board selected by Indians and functioning much like other school boards throughout the Nation." The Vice President, Chairman of the National Council of Indian Opportunity, has established a Special Education Subcommittee of that Council. The Subcommittee will provide technical assistance to Indian communities wishing to establish school boards as well as conduct a nationwide review of the educational status of Indian school children in whatever school they may be attending. The Subcommittee will also evaluate and report to the President annually on the status of Indian education, including the extent of local control.

The legislative proposals being sponsored through the Department of Interior are yet another manifestation of the President's Indian policy being translated into a tangible program. These bills provide for improved programs and greater effectiveness in the coordination of Federal services on the reservations. Proposed revision of the Johnson-O'Mally Act, and a bill to provide for the assumption of control and operation of certain Federal programs by the local Indian communities, seem particularly important in applying the President's concern specifically to Indian education.

Higher Education Opportunity Act

S. 1123, the Higher Education Opportunity Act, sponsored by Senator Prouty, proposes far reaching revisions in the structure of student financial aid. Many Indians cannot attend college due to lack of financial resources. Others, although accepted, cannot attend the college of their choice. Passage of S. 1123 would guarantee that no qualified student, including any Indian student, would be denied access to a postsecondary education due to lack of financial resources. Under this Act, financial aid would go first, and in the largest amounts, to the neediest students, in order to give them a chance equal to that of the students from higher income families.

Two additional provisions of S. 1123 are especially relevant to Indian education. Navajo Community College would benefit from the provision to allow the Commissioner to make available support to developing institutions for two-year institutions which have been in existence for fewer than five years. The other provision is an amendment to the Education Professions Development Act to make BIA teachers eligible for teacher training programs.

Emergency School Assistance

Under the Emergency School Assistance and Quality Integrated Education Act passed by the Senate, those funds not reserved for special activities are apportioned among the States on the basis of their relative proportions of minority group children, including American Indians. School districts with Indian children in racially isolated schools would be eligible to apply for assistance in a wide variety of activities related to desegregation and the elimination, reduction, and prevention of racial isolation.

Supportable activities would include development and use of new curricula and instructional methods, including instruction in the language and cultural heritage of minority groups; remedial services, including student-to-student tutoring; guidance and counseling services designed to promote mutual understanding among minority group and non-minority group parents, children, and teachers; community activities; recruiting, hiring, and training of teacher aides, with preference being given to parents of children attending schools affected by the Act; and in-service teacher training. Under the Senate bill, four percent of the funds appropriated are earmarked for programs to meet the needs of minority group children who are from an environment in which a dominant language is other than English and who, because of language barriers and cultural differences do not have equality of educational opportunity. Programs under this authority could be conducted and curricula developed to meet the needs of Indian children and their classmates to understand the history and cultural background of American Indians.

The House of Representatives has not yet acted on similar legislation now before the Committee on Education and Labor. Yet both the Administra-

tion bill, H.R. 2266, and the Quality Integrated Education Act, H.R. 4847, contain authorizations of activities similar to those of S. 1557. Therefore, we can expect that passage of this legislation will be of significant importance to Indian education.

National Institute of Education

Creation of a National Institute of Education as a vigorous national force in educational research and development would offer new opportunities to explore the problems and promises of education for the Indian child. Under the President's proposal to establish the new agency in Fiscal Year 1972, outstanding scholars, educators, and public officials would work together to design comprehensive research and development strategies for tackling our pressing educational problems. We need better understanding of the learning styles and needs of Indian children, and to try new educational methods appropriate to those styles and needs. With its broad responsibilities, NIE could look at the needs of Indian education both in terms of its commonality with the education needs of all disadvantaged groups, and the needs unique to Indians and Alaska Natives. A comprehensive research and development program concentrating on education of the disadvantaged would certainly have extremely high priority for support under NIE's projected first year operational budget of $150-$200 million in FY 1973.

Education Revenue Sharing

The Education Revenue Sharing bill would provide over $1.5 billion for education of the disadvantaged to be "passed through" to local educational agencies who are in compliance with comparability and parental participation standards.

Indian children would experience increased benefit from Impact Aid under Education Revenue Sharing. Under present P.L. 874 provisions, the parents of an Indian child must both work and live on Federal property to earn full entitlement as an "A" category child. Education Revenue Sharing requires only that the parents live on Federal property for the child to earn full entitlement as an "A" category child. This means that local education agencies will receive 60 percent of the national average per pupil expenditure for all Indian children whose parents live on reservations.

The work of the Senate Special Indian Education Subcommittee and its probing report have refocused attention on a people and their problems which the Nation periodically forgets. Mr. Chairman, I sincerely believe that the President's Message of July 1970 is consistent with and strengthens the basic intent of the Subcommittee's 1969 report. Both efforts clearly challenge the "termination" period of the post-World War II 40's and 50's.

But as forceful as these two expressions are, the repudiation of termination and the faith which Indian people have in that repudiation are still delicate. And well they might be, for the history here is long and the record of Federal promises kept is shameful. I suggest, Mr. Chairman, that the fundamental task at this time is to solidify the national policy which is implicit in the work of this Subcommittee and in the President's Message. We intend to implement our policy. The authorizations that exist are adequate. They are strengthened by the Administration bills now before Congress. Further, I suggest that to shuffle Federal responsibilities in the area of education at this time could detract from the most important need of delivering existing resources

to a specific problem now. If we can begin to deliver Federal assistance in a manner which steadily enables Indian communities to develop the education that touches their children, and if we can develop educational approaches which build on rather than ignore the cultural strength of our Indian children, we will have demonstrated our real commitment to a new Indian education policy.

I would now like to turn to the specific topical provisions of the bill. Part A proposes a new Title III in P.L. 874 for meeting the special education needs of Indian children. If this Title requires a separate authorization and appropriation for that provision, I must seriously question its wisdom. I believe that the proposed change aims at difficulties which Indians face with regard to the local distribution of P.L. 874 funds. These problems have been raised most pointedly by the NAACP Legal Defense Fund study, An Even Chance. We must address those problems but I am not convinced that a separate authorization is the answer. I would rather approach those problems within the scope of OE's commitment to equal educational opportunity.

Parts B and C would authorize a broad range of flexible, discretionary grants for elementary and secondary education (Part B) and Adult Education (Part C). I suggest that the capacity here would not differ significantly from our present ability under Cooperative Research, Bilingual Education, EPDA, and Curriculum Development. These authorizations enable us to direct assistance to particular areas with flexibility and precision. We can address ourselves to data needs, to personnel development, and to curriculum needs. And while it may be some time before all these needs

are met, the Office of Education is working to use existing authorizations to strike at the multiple problems that beset Indian education.

Part D proposes a Bureau of Indian Education within OE that would administer the provisions of S. 659. It also establishes a National Board of Indian Education that would absorb all of the educational functions now exercised by BIA. While I acknowledge a need to make our agency more informed regarding Indian education needs, I am opposed to a legislated bureau to meet this need. I do not think that legislating administrative structures within the Executive Branch best serves the needs for comprehensive planning and flexibility to cope with changes in priorities and responses over time.

In addition, it is the policy of the Nixon Administration to reduce, rather than expand, categorical authorities. We favor the concept of consolidation of authorities under existing programs wherever possible. But we favor consolidation on a vastly more comprehensive scale. In the narrow view, the consolidation of Indian education authorities may make the task of delivering funds to Indian children in public schools easier and more effective. However, unlike our colleagues from the Bureau of Indian Affairs, the Office of Education is responsible for disadvantaged students of all racial and ethnic backgrounds, of which Indians are a relatively small percentage. Earmarking funds for the disadvantaged by narrow ethnic differences will make meeting the greater commonality of need among the disadvantaged virtually impossible for State and local administrators. Local response to local needs is already hampered by burdensome and confusing Federal red tape. For the sake of all educationally disadvantaged children we can't afford to make the burden worse.

Other provisions of the Amendment, such as the inclusion of BIA teachers under Education Professions Development Act programs, are already included in Administration proposal S. 1123 now before this Committee.

Mr. Chairman, I think that the eyes of the Indian communities are on all of us. They are watching to see if we will turn their problems into an issue among ourselves within the Federal Government or whether we will take this occasion to solidify a new policy and begin delivering real educational resources that meet concrete problems.

In sum, Mr. Chairman, we agree that there are crucial needs in Indian Education, but we seem to disagree over the means to meet those needs.

I have tried to point out the new thrusts instituted by this Administration and the directions I would like to pursue. It is not enough for any of us to deplore the inadequacy of past efforts. In pledging to seek augmented and alternative responses for the future, it is my desire to work with the Committee, and with our present and proposed legislation. I am sure that the Office of Education shares wholly with you the goal of insuring that the First Americans are indeed given an even chance through education.